

**16-006 G**

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF RUMSON  
BY AMENDING CHAPTER II, ADMINISTRATION, CHAPTER IV, GENERAL  
LICENSING, CHAPTER V, ANIMALS, CHAPTER VI, ALCOHOLIC BEVERAGE  
CONTROL, CHAPTER VII, TRAFFIC, CHAPTER VIII, BUILDING AND HOUSING,  
CHAPTER IX, SEWER AND WATER, CHAPTER X, PARKS AND RECREATION AREAS,  
CHAPTER XIII, STREETS AND SANITATION, CHAPTER XVI, ENVIRONMENTAL  
PROTECTION, CHAPTER XVII, FLOOD DAMAGE PREVENTION**

BE IT ORDAINED by the Mayor and Council of the Borough of Rumson, in the County of Monmouth and State of New Jersey that Chapter II (Administration), Chapter IV (General Licensing), Chapter V (Animals), Chapter VI (Alcoholic Beverage Control), Chapter VII (Traffic), Chapter VIII (Building and Housing), Chapter IX (Sewer and Water), Chapter X (Parks And Recreation Areas), Chapter XIII (Streets And Sanitation), Chapter XVI (Environmental Protection), Chapter XVII (Flood Damage Prevention) of the General Ordinances of the Borough of Rumson are hereby amended or supplemented as follows:

**PURPOSE**

The purpose of this Ordinance is to Amend *Chapter II (Administration)*, Sections 2-22 and 2-22.5 to amend purpose and terms of background checks; *Chapter IV (General Licensing)*, Section 4-5.4 to amend application fees; *Chapter V (Animals)*, Sections 5-2.2 and 5-8.10 to amend fees; *Chapter VI (Alcoholic Beverage Control)*, Section 6.3.4 to amend fee; *Chapter VII (Traffic)*, Section 7-12 to amend parking schedules; *Chapter VIII (Building and Housing)*, Sections 8-1.3 and 8-1.5 to amend fees; *Chapter IX (Sewer and Water)*, Section 9-1.9 to amend terms regarding inspections and reports; *Chapter X (Parks And Recreation Areas)*, Section 10-1.1 to amend lists of Borough lands; *Chapter XIII (Streets And Sanitation)*, Sections 13-1.2, 13-2.9, 13-2.14, 13-6.7 and 13-7.8 to amend terms regarding garbage receptacles, walkways, pedestrian facilities and construction site maintenance; *Chapter XVI (Environmental Protection)*, Sections 16-2.2, 16-2.3, 16-2.11 and 16-2.12 to add terms and amend definitions regarding stormwater management; *Chapter XVII (Flood Damage Prevention)*, Sections 17-4.2 and 17-6.1 to add Borough Engineer as designee and additional terms regarding fill material *of the General Ordinances of the Borough of Rumson are hereby amended or supplemented as follows (new text is double underlined, text to be deleted is ~~struck through~~ and notations to the reader and changes in subparagraph designations either with or without changes to content are italicized):*

**SECTION 1**

That Chapter II, Administration, shall be amended to as follows:

**CHAPTER II  
ADMINISTRATION**

**2-1 CHAPTER TITLE.** through **2-21 HISTORIC PRESERVATION COMMISSION.**

No Change.

**2-22 CRIMINAL HISTORY BACKGROUND CHECKS FOR BOROUGH EMPLOYEES  
AND EMERGENCY SERVICE VOLUNTEERS.**

**2-22.1 Purpose.**

In order to ensure that the Borough, its employees and volunteer organizations are protected, the Borough shall require that a criminal history record background check be performed on any person to be hired as an employee, appointed as a volunteer or accepted as a new emergency services volunteer, beginning January 1st, 2012. The Rumson Police Department recommends that all newly hired employees, volunteers or new emergency service volunteers complete a State criminal history record background check.

**2-22.2 Definitions. through 2-22.4 Conditions Under Which a Person is Disqualified from Service.**

No Change.

**2-22.5 Submission, Exchange of Background Information.**

a. Prospective or current employees or volunteers shall submit their names, addresses, fingerprints and written consent to the Department, or its designee, for the criminal history record background check to be performed. The ~~Chief of Police Borough, through its background check vendor,~~ shall coordinate the background check and refer the information to the State Police and FBI for the initial check.

b. The Rumson Borough Police Department shall act as a clearinghouse for the collection and dissemination of information obtained as a result of conducting criminal history record background checks pursuant to this section.

**2-22.6 Limitations on Access and Use of Criminal History Record Information. through 2-22.8 Penalty.**

No Change.

**2-23 MUNICIPAL HOUSING LIAISON. through 2-25 FIRST AID SQUAD—ALSO KNOWN AS RUMSON EMERGENCY SERVICES (EMS).**

No Change.

**SECTION 2**

That Chapter IV, General Licensing, shall be amended to as follows:

**CHAPTER IV  
GERNERAL LICENSING**

**4-1 DEFINITIONS. through 4-4 LICENSING OF SCOWS, BARGES AND VESSELS.**

No Change.

**4-5 USE OF MUNICIPAL BOAT LAUNCHING RAMP.**

**4-5.1 Use of Municipal Launching Ramp Limited to Permit Holders. through 4-5.3 Permits.**

No Change.

**4-5.4 Application Fees.**

Each and every person, with the exception of persons sixty-five (65) years of age or who are owners of the boat or boats for which they seek an annual permit and furnish proof of their age and ownership of their boats, securing such a permit shall pay a fee of one hundred ~~twenty (\$100.00)~~ (\$120.00) dollars for each year of part thereof for which such permit is issued. Permits shall be for personal use only, shall be limited to two boats or other watercraft and shall be renewed annually. For persons sixty-five (65) years of age and older the annual fee shall be ~~forty (\$40.00)~~ sixty (\$60.00) dollars.

The fee for seasonal permits, limited to one launch and one removal for the same vessel per year shall be ~~thirty (\$30.00)~~ forty (\$40.00) dollars.

A fee of forty (\$40.00) dollars shall be charged for a launching permit for up to a maximum of either two (2) kayaks, two (2) canoes or two (2) shells provided that only one (1) vehicle can be authorized to carry the two (2) above mentioned watercraft. ~~The permit will only entitle the bearer to one (1) parking space at the Borough property adjoining the boat ramp.~~

All above permit fees shall take effect immediately.

**4-5.5 Authorization to Employ Registrar and Furnish Materials. through 4-5.7 Violations and Penalties.**

No Change.

**4-6 GARAGE SALES. through 4-9 REGISTRATION OF LANDSCAPERS AND TREE REMOVAL COMPANIES.**

No Change.

**SECTION 3**

That Chapter V, Animals, shall be amended to as follows:

**CHAPTER V  
ANIMALS**

**5-1 DOGS.**

**5-1.1 Definitions.**

No Change.

**5-2 LICENSE FOR DOGS.**

**5-2.1 Required.**

No Change.

**5-2.2 License Fee.**

a. Each and every dog shall be duly licensed and shall bear evidence of such license at all times, in accordance with the laws of the State of New Jersey. The annual fee for such license shall be ~~twelve (\$12.00) dollars set annually by Borough Council Resolution~~ for each neutered or spayed dog (evidenced by a veterinarian's certification): or nonneutered ~~Nonneutered and nonspayed dogs shall pay the annual fee of fifteen (\$15.00) dollars.~~ Fees collected by the Borough shall include all State fees and take effect on January 1, 2009. Said licenses and renewals thereof shall expire on the last day of January in each year. A late fee of five (\$5.00) dollars shall be assessed each month on all license renewals issued to a dog owner after the expiration date of January 31.

b. The fee to license a "potentially dangerous dog" or a "vicious dog" shall be seven hundred (\$700.00) dollars annually.

**5-2.3 Duplicate Tag. through 5-8.9 Nuisances Upon Property of Others, Including Public Property, Prohibited.**

No Change.

**5-8.10 Violations and Penalties.**

a. Unless a specific penalty is provided by statute, any person(s), firm(s) or corporation(s) who violates or neglects to comply with any provisions of this section or any rule or regulation promulgated pursuant thereto (except subsection 5-8.5 as stated below), or who violates or refuses to comply with the rules and regulations promulgated by the State Department of Health pursuant to N.J.S.A. 4:19-15.14 governing the sanitary conduct and operation of kennels, pet shops, shelters and pounds to preserve sanitation therein and prevent the spread of rabies and other diseases of dogs within and from such establishments shall be subject to the penalty as stated in Chapter III, Section 3-1.

b. Any person who violates or refuses to comply with the provisions of subsection 5-8.5 shall be subject to the following fines and costs upon conviction thereof:

*Offense and Conviction      Fine*

1st	<del>\$15.00</del> <u>\$25.00</u>
2nd	<del>\$20.00</del> <u>\$50.00</u>
3rd	\$50.00 and mandatory court appearance of licensee
4th	\$75.00 and mandatory court appearance of licensee
5th	\$100.00 and mandatory court appearance of licensee
6th	\$200.00 and mandatory court appearance of licensee

All fines after the sixth (6th) violation shall require a mandatory court appearance of licensee and all fines imposed shall be at the discretion of the Municipal Judge, which shall not exceed two thousand (\$2,000.00) dollars as stated in Chapter III, Section 3-1. If a period of two (2) years elapses between violations all previous violations will be eliminated from the record.

c. In the event an animal is transported to the Monmouth County S.P.C.A. or other approved agency by the Rumson Animal Control Officer, the owner of the animal shall, in addition to the above listed penalties, pay to the Borough of Rumson the sum of seventy-five (\$75.00) dollars per animal, plus fifty (\$50.00) dollars per animal for transportation costs, at the time the animal is returned to the owners. The owner shall also reimburse the Borough of Rumson for fees paid to the Monmouth County SPCA or other approved facility.

**5-9 ANIMALS RUNNING AT LARGE. through 5-11 CATS.**

No Change.

**SECTION 4**

That Chapter VI, Alcoholic Beverage Control, shall be amended to as follows:

**CHAPTER VI  
ALCOHOLIC BEVERAGE CONTROL**

**6-1 PURPOSE. THROUGH 6-2 DEFINITIONS.**

No Change.

**6-3 LICENSES.**

**6-3.1 Laws Applicable. through 6-3.3 License Required.**

No Change.

**6-3.4 License Fees; Maximum Number.**

From and after the effective date hereof the annual fees and maximum number of licenses for the sale or distribution of alcoholic beverages in the Borough shall be as follows:

<i>Class of License</i>	<i>Annual License Fee</i>	<i>Number of Licenses</i>
Plenary Retail Consumption License	\$2,500.00	9
Plenary Retail Distribution License	<del>\$2,031.00</del> <u>\$2,437.00</u>	2

The provisions of this subsection with respect to the limitation on the number of licenses shall not apply to the renewal or transfer or licenses presently issued.

**6-3.5 License Term. through 6-3.6 Requirement of Obtaining Liquor License Renewal.**

No Change.

**6-4 REGULATION OF LICENSES. through 6-7 REVOCATION OF LICENSES.**

No Change.

**SECTION 5**

That Chapter VII, Traffic, shall be amended to as follows:

**CHAPTER VII**  
**TRAFFIC**

**7-1      WORDS AND PHRASES. through 7-11 SPEED LIMITS.**

No Change.

**7-12      VIOLATIONS AND PENALTIES.**

Any person(s), firm(s), or corporation(s) who violates or neglects to comply with any provisions of this section or any rule or regulation promulgated pursuant thereto, shall be subject to the penalty as stated in Chapter III, Section 3-1.

**SCHEDULE I**  
**NO PARKING**

In accordance with the provisions of subsection 7-3.3, no person shall park a vehicle at any time upon any of the following described streets or parts of streets.

<i>Name of Street</i>	<i>Side</i>	<i>Location</i>
Allen Street	West	Between West River Road and Church Street.
<u>Allen Street</u>	<u>East</u>	<u>Between West River Road and 125’ south thereof.</u>
Avenue of Two Rivers	a. East	From the south curbline of Ridge Road 200 feet southerly thereof.
	b. West	From Bay Street to Ridge Road.
Avenue of Two Rivers South	Both	Between its southerly terminus and a point 450 feet northerly therefrom.
Bay Street	South	Entire length.
Bellevue Avenue	West	Between Rumson Road and 600 ft. south of Ridge Road.
Bingham Avenue	West	Between Ridge Road and South Cherry Lane.
Blackpoint Road	a. North	For a distance of 60 feet in an easterly direction from East River Road.
	b. South	From East River Road to Center Street.
Blossom Road	West	Between Ridge Road and Robin Road.
Bruce Place	South	Entire length.
Cedar Avenue	East	Entire length.
Church Street	North	Between Lafayette Street and Bingham Avenue.
First Street	East	From the Navesink River to a distance 290 feet south thereof.
First Street	East	No parking/loading zone here to corner 77 feet north of West River Road.
First Street	West	Between the Navesink River and Church Street.
Forrest Avenue	West	From Ridge Road to Narumson Street.
Hance Road	East	For a distance of 1,875 feet in a northerly direction from Rumson Road.
Holly Street	South	Entire length.

Hunt Street	South	Entire length.
Lafayette Street	a. West	Beginning 130 feet from the northerly curbline of West River Road running in a northerly direction to its terminus at the Navesink River.
	b. West	From West River Road to Narumsunk Street.
Maple Avenue	East	Entire length.
Maplewood Avenue	North	Entire length.
Meadowbrook Avenue	North	Entire length.
Navesink Avenue	Both	From the northerly portion of BlackpointHorseshoe to the Navesink River.
North Park Avenue	East	Between East River Road and Oak Tree Lane.
Oak Lane	East	Entire length.
Oakwood Lane	South	Entire length.
Packer Avenue	Both	Entire length.
Ridge Road	North	Between Forrest Avenue and Bingham Avenue.
Ridge Road	Both	From the east curb of Bellevue Avenue in an easterly direction for a distance of 310 feet.
Ridge Road	Both	From the west curb of Bellevue Avenue in a westerly direction for a distance at 100 feet.
Ridge Road	South	For a distance of 95 feet in an easterly direction with its intersection with the easterly line of Bellevue Avenue.
Ridge Road	South	Between Bingham Avenue and Blossom Road.
East River Road	East	From Wilson Circle to Meadowbrook Avenue.
East River Road	East	From Blackpoint Road 40 feet north.
East River Road	North	From the northeast corner of North Park Avenue in an easterly direction for a distance of 265 feet.
East River Road	West	Between Bingham Avenue and Ridge Road.
West River Road	South	Between Buena Vista Avenue and Bingham Avenue.
West River Road	North	70 feet east of First Street.
West River Road	North	70 feet west of First Street.
Rumson Road	North	Entire length.
Rumson Road	South	Entire length.
Second Street	West	Entire length.
South Ward Avenue	East	From Rumson Road to Lincoln Avenue.
South Ward Avenue	West	From Rumson Road to Shrewsbury Drive.
Third Street	West	Between West River Road and Church Street.
Ward Avenue	East	Entire length.

Ward Lane	South	Entire length.
	West	For a distance of 100 feet in a southerly direction from the curbline of West River Road.
Washington Street	a. East	Between the Navesink River and Church Street.
	b. West	Between Church Street and NarumsunkStreet.
West Street	North	Entire length.
Windmill Lane	East	Entire length.
Shrewsbury Drive	South	Between Navesink Avenue and Ward Avenue.
West River Road	North	70 feet east of Lafayette Street.

**SCHEDULE IA PARKING RESTRICTED LOT ADJACENT TO FIRE COMPANY**  
through **SCHEDULE IB HANDICAPPED PARKING ON THE STREET**

No Change.

**SCHEDULE II**  
**PARKING PROHIBITED CERTAIN HOURS**

In accordance with the provisions of subsection 7-3.4, no person shall park a vehicle or dumpster between the hours specified upon any of the following described streets, or parts of streets, or Municipal parking lots.

<i>Name of Street</i>	<i>Side</i>	<i>Hours</i>	<i>Months/Location</i>
All Streets	Both	From 3:00 a.m. to 5:00 a.m.	December, January, February and March.
Bellevue Avenue	West	From 7:00 a.m. to 4:00 p.m. on school days only	From 25 feet north of Ridge Road to Auldwood Lane.
Blackpoint Road	North	From 7:00 a.m. to 4:00 p.m. on school days only	Between 125 feet from East River Road and Forrest Avenue.
<u>Blackpoint Road</u>	<u>South</u>	<u>From 7:00 a.m. to 4:00 p.m. on school days only</u>	<u>Forrest Avenue to Bingham Avenue</u>
<u>Blackpoint Road</u>	<u>North</u>	<u>From 7:00 a.m. to 9:00 a.m. and 3:00 p.m. to 4:00 p.m. on school days only</u>	<u>Bingham Avenue to 170 feet easterly</u>
Forrest Avenue	East	From 7:00 a.m. to 3:00 p.m. on school days only	From Ridge Road to a point 150 feet north thereof.
Municipal Parking Lots	Entire lot	From 3:00 a.m. to 5:00 a.m.	All Municipal lots, owned and leased.
Narumson Street	North	From 7:00 a.m. to 3:00 p.m. on school days only	Between Park Avenue and Forrest Avenue.
North Cherry Lane	South	From 7:00 a.m. to 3:00 p.m. on school days only	From Bingham Avenue to West Cherry Lane.
South Cherry Lane	North	From 7:00 a.m. to	From Bingham Avenue to

		3:00 p.m. on school days only	West Cherry Lane.
West Cherry Lane	East	From 7:00 a.m. to 3:00 p.m. on school days only	From North Cherry Lane to South Cherry Lane.

**SCHEDULE IIA**  
**COMMERCIAL TRUCK, TRACTOR OR TRAILER PARKING PROHIBITED**  
**DURING CERTAIN HOURS ON CERTAIN STREETS**

No Change.

**SCHEDULE III**  
**NO STOPPING OR STANDING**

In accordance with the provisions of subsection 7-3.5, no person shall stop or stand a vehicle upon any of the following described streets or parts of streets.

**~~Reserved~~**

<u>Name of Street</u>	<u>Sides</u>	<u>Hours</u>	<u>Location</u>
<u>Blackpoint Road</u>	<u>South</u>	<u>7:00 a.m. to 4:00 p.m.</u> <u>on school days only</u>	<u>Forrest Avenue to</u> <u>Bingham Avenue</u>
<u>Blackpoint Road</u>	<u>North</u>	<u>7:00 a.m. to 9:00 a.m.</u> <u>and 3:00 p.m.to 4:00</u> <u>p.m. on school days</u> <u>only</u>	<u>From Bingham</u> <u>Avenue to 170 feet</u> <u>easterly</u>

**SCHEDULE IV**  
**PARKING TIME LIMITED**

In accordance with the provisions of subsection 7-3.6, no person shall park a vehicle for longer than the time shown on the following described streets or parts of streets.

<i>Name of Street</i>	<i>Sides</i>	<i>Time Limit</i>	<i>Hours</i>	<i>Location</i>
Blackpoint Road (Ord. No. 15-010G)	North	2 hours	7:00 a.m. to 3:00 p.m. on school days only	From East River Road west for 125 feet.
Blackpoint Road	South	2 hours	7:00 a.m. to 3:00 p.m. on school days only	Between East River Road and Forrest Avenue.
Blossom Road	East	2 hours	7:00 a.m. to 3:00 p.m. on school days only	Between Ridge Road and Robin Road.
Carton Street	North	2 hours	7:00 a.m. to 3:00 p.m. on school days only	From East River to Forrest Avenue.
East River Road	North	1/2 hour	8:00 a.m. to 6:00 p.m.	From Parmly Street to a point 260 feet northerly thereof.
West River Road	North	1/2 hour	8:00 a.m. to	Between Washington Street



			6:00 p.m.	and First Street.
<u>Blackpoint Road</u>	<u>North</u>	<u>2 hours</u>	<u>7:00 a.m. to 3:00 p.m. on school days only</u>	<u>150 feet west of Forrest Avenue for 230 feet west</u>

**SCHEDULE IVA PARKING TIME LIMITED MUNICIPAL PARKING LOT through**  
**SCHEDULE XVI SPEED LIMITS** No Change.

**SECTION 6**

That Chapter VIII, Building and Housing, shall be amended to as follows:

**CHAPTER VIII**  
**BUILDING AND HOUSING**

**8-1 STATE UNIFORM CONSTRUCTION CODE.**

**8-1.1 Enforcing Agency Established. through 8-1.2 Smoke Alarm Inspection.**

No Change.

**8-1.3 Fee Schedule.**

The fee for a construction permit shall be the sum of the subcode fees listed in a. through o. hereof and shall be paid before the permit is issued as determined by the construction official.

- a. *General.* No Change.
- b. *Basic Construction.*

1. New Construction and Addition Fees.

(a) New construction and additions in all use groups classification except for signs and structures or buildings and special fees for which volume cannot be computed.

The fee shall be three hundredths (\$0.030) cents per cubic foot of volume of the building or structure.

(b) (1) Residential: ~~Seventy-five (\$75.00)~~ One hundred (\$100.00) dollars minimum.

(2) Nonresidential: Eighty (\$80.00) dollars minimum.

2. Renovations, alterations, ~~additions~~, repairs, pre-manufactured construction and minor work fees.

~~(a) Additions. The fee shall be three hundredths (\$0.030) cents per cubic foot of volume of the addition. The minimum fee shall be one hundred (\$100.00) dollars residential, one hundred twenty five (\$125.00) dollars nonresidential.~~

~~(b)~~ (a) Renovations, alterations, installation of pre-manufactured units, foundation systems and all on site work for pre-manufactured construction, repairs and/or minor work. The fee shall be eighteen (\$18.00) dollars per one thousand (\$1,000.00) dollars of estimated cost.

~~(c)~~ (b) Roofing and siding. The fee shall be fifteen (\$15.00) dollars for each one thousand (\$1,000.00) dollars or part thereof based upon the value of the work.

~~(d)~~ (c) A combination of ~~(a), (b) and (c)~~ (a) and (b) shall be computed separately and the total fee shall be the total fees added together with any and all other applicable fees.

~~(e)~~ (d) Minimum fees.

- (1) Residential: Sixty (\$60.00) dollars.
  - (2) Nonresidential fees: One hundred ten dollars (\$110.00) dollars.
3. Special Fees. Structures for which volume cannot easily be computed.
  - (a) through (g) No Change.
- c. *Fees for Continued Inspection of Equipment Subject to Limitations as Per N.J.A.C. 5:23-2.23(i).* No Change.
- d. *State of New Jersey Training Fees.*
  1. This fee shall be in the amount of \$0.00334 per cubic foot volume of new construction. The fee for alterations and renovations shall be calculated based on ~~\$0.00170~~ \$0.00190 per one thousand (\$1,000.00) dollars of estimated cost computed in accordance with N.J.A.C. 5:23-2.28.
- e. *Demolition, Removal, or Moving of Buildings and/or Structures.* through j. *Construction Trailers.* No Change.
- k. *Certificate of Occupancy per U.C.C.*
  1. The fee for a certificate of occupancy for new construction shall be one hundred (\$100.00) dollars.
    - (a) Use Group R-3, per principal dwelling unit shall be fifty (\$50.00) dollars.  
R-3, additions and alterations shall be forty (\$40.00) dollars.  
R-3, Accessory Uses shall be twenty-five (\$25.00) dollars.  
Each additional tenant space or separate unit shall be fifty (\$50.00) dollars.  
All other use groups, except Use Group T base fee shall be one hundred (\$100.00) dollars.  
Use Group T shall be twenty-five (\$25.00) dollars.
    - (b) The fees for a temporary certificate of occupancy or a renewal of a temporary certificate of occupancy for each structure shall be seventy-five (\$75.00) dollars for residential and one hundred (\$100.00) dollars for commercial.
    - (c) The fee for a multiple temporary certificate of occupancy shall be one hundred (\$100.00) dollars for each unit.
    - (d) The fee for a certificate of occupancy permit pursuant to a change in use shall be one hundred fifty (\$150.00) dollars.
    - (e) The fee for a certificate of continued occupancy shall be one hundred (\$100.00) dollars.
- l. *Plumbing Subcode Fees.* No Change.
- m. *Fire Protection Subcode Fees.*
  1. New Construction, Renovations, Alterations or Repairs. The minimum fee shall be:
    - (a) Residential: Sixty (\$60.00) dollars for each system.
    - (b) Nonresidential: One hundred fifty (\$150.00) dollars for each system.
  2. Each gas or oil fired appliances such as furnaces, ranges, stoves, indoor generators and fireplaces not connected to the plumbing system shall be fifty (\$50.00) dollars.
  3. Special Fixtures and Equipment.
    - (a) through (f). No Change.
    - (g) Fees for smoke, ~~CO~~ carbon monoxide and heat detectors, alarm systems, interconnected as wired or wireless systems:
      - (1) The fee for one to ten detectors shall be sixty (\$60.00) dollars.

- (2) The fee for 11-20 detectors shall be one hundred twenty (\$120.00) dollars.
- (3) The fee for 21-100 detectors shall be two hundred (\$200.00) dollars.
- (4) The fee for 101-500 detectors shall be three hundred (\$300.00) dollars.
- (5) The fee for over 500 detectors shall be five hundred (\$500.00) dollars.

4. No Change.

n. *Electrical Subcode Fees.* Required for the installation, removal, alteration and/or replacement of all listed items.

1. No Change.

2. Special electrical fixtures and devices for, but not limited to electrical heating, cooling, service conductors, feeders, switches, switchboards, panel boards, motors, control equipment, generators, transformers, smoke detectors, air conditioners, cooling equipment, lighting standards, swimming pools, hot tubs, hydromassage bathtubs, spas, steam baths and similar fixtures and devices. The fee shall be:

(a) through (f)

(g) Swimming pools and outdoor installation of hot tubs: The fee shall be two hundred fifty (\$250.00) all-inclusive or itemized as follows:

(1) through (7) No Change.

(h) No Change.

(i) Each motor or electrical device greater than ten hp and less than or equal to fifty hp; and for each transformer, generator, and device greater than ten kW and less than or equal to ~~forty-five~~ thirty-five kW: The fee shall be ninety (\$90.00) dollars each.

(j) through (n) No Change.

3. through 5. No Change.

6. The minimum fee for amending or changing a permit shall be ~~fifty (\$50.00)~~ sixty (\$60.00) dollars.

7. No Change.

o. *Miscellaneous.* No Change.

**8-1.4 Biannual Report: Recommending New Fee Schedule.** No Change.

**8-1.5 Surcharge: Reports Due.**

In order to provide for the training, certification, and technical support programs required by the Uniform Construction Code Act and the Regulations, the enforcing agency shall collect in addition to the fees specified above, a surcharge fee of ~~\$.00265~~ \$.00334 cents per cubic foot of volume of new construction. The surcharge fee shall be remitted to the Bureau of Housing Inspection, Department of Community Affairs, on a quarterly basis for the fiscal quarter ending September 30, December 31, March 31 and June 30, and not later than one month next succeeding the end of the quarter for which it is due. In the fiscal year in which the regulations first become effective, the fee shall be collected and remitted for the third and fourth quarters only.

The enforcing agency shall report annually at the end of each fiscal year to the Bureau of Housing Inspection, and not later than July 31, the total amount of the surcharge fee collected in the fiscal year. In the fiscal year in which the regulations first become effective, the report shall be for the third and fourth quarters only.

**8-1.6 Fire Limits.** No Change.

- 8-2      **UNFIT BUILDINGS. through 8-7 RENTAL PROPERTY-REGISTRATION REQUIRED.**      No Change.

## SECTION 7

That Chapter IX, Sewer and Water, shall be amended to as follows:

### CHAPTER IX SEWER AND WATER

#### 9-1      **SEWER CONNECTIONS.**

- 9-1.1      **Definitions. through 9-1.8 Disconnection.**      No Change.

9-1.9      **Inspection.**

a.    *Existing Units.* All existing units will be inspected by the Superintendent of Wastewater Management or his authorized designee in order to ensure compliance with this chapter.

b.    *New Units.* A Certificate of Occupancy will not be issued for new units until the Superintendent of Wastewater Management or his authorized designee has completed his inspection pursuant to this chapter.

c.    *Certified Inspections and Reports.*

1. When a Development Permit is required per Section 22-3.4 for new residential construction or lifting an existing residential structure within a Special Flood Hazard Area, a closed-circuit televised video inspection of the sanitary sewer lateral pipe servicing the structure shall be completed, unless waived by the Administrative Officer (Zoning Officer).
  - a. The inspection shall capture the full length of the sewer lateral from the dwelling to its connection into the Borough's sanitary sewer main.
  - b. A report which identifies offset joints, breaks, obstructions, back-pitched pipe, heavy debris, standing water, inflow & infiltration, heavy staining, and other structural deficiencies shall be supplied to the Borough.
  - c. The report shall identify each deficiency with a footage from a distinctive starting location. The report shall also include a copy of the video inspection. The inspection and report shall be dated and signed by the agent responsible for conducting the inspection.
2. The property owner is responsible to correct all deficiencies between the dwelling and curb or edge of pavement as identified in the report or as required by the Borough. The methods utilized to correct the deficiencies shall be approved by the Borough. A Building Permit is required in accordance with the applicable Uniform Construction Code or Chapter VIII of the Borough Ordinance. Inspections will be conducted by the Borough to ensure the necessary repairs are completed.
3. Any deficiencies noted between the curb or edge of pavement and the Borough's sanitary sewer main may be addressed by the Borough at the discretion of the Borough.

- 9-1.10      **Violations and Penalties.**      No Change.

- 9-2      **SEWER SERVICE CHARGES. through 9-3 FIRE HYDRANTS.**      No Change.

## SECTION 8

That Chapter X, Parks and Recreation, shall be amended to as follows:

### CHAPTER X PARKS AND RECREATION

#### 10-1      **REGULATIONS FOR PARKS AND PUBLIC RECREATIONAL AREAS.**

**10-1.1 Compliance with Regulations Required.**

All persons in, upon or making use of the following public parks of the Borough namely:

- Rogers Park
- Victory Park
- Piping Rock Park
- Sea Bright Bridge Park (West Park)
- Riverside Park
- Meadow Ridge Park

**Developed and Partially Developed Lands Held for Recreation and Conservation Purposes**

<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>
<u>West River Road</u>	<u>Victory Park</u>	<u>5</u>	<u>4</u>
<u>Church Street</u>	<u>Rogers Park</u>	<u>28</u>	<u>11</u>
<u>Bingham Avenue</u>	<u>Bingham Hall</u>	<u>30</u>	<u>5</u>
<u>East River Road</u>	<u>Piping Rock Park</u>	<u>60</u>	<u>5</u>
<u>Ridge Road</u>	<u>Meadow Ridge Park</u>	<u>81</u>	<u>7</u>
<u>Riverside Drive</u>	<u>Riverside Park</u>	<u>105</u>	<u>28</u>
<u>Rumson Road</u>	<u>West Park</u>	<u>80</u>	<u>1</u>
<u>Rumson Road</u>	<u>West Park</u>	<u>143</u>	<u>1</u>
<u>West River Road</u>	<u>Victory Park Expansion</u>	<u>5</u>	<u>3.02</u>

**Wholly Underdeveloped Lands Held for Recreation and Conservation Purposes**

<u>Municipal Location</u>	<u>Name</u>	<u>Block</u>	<u>Lot</u>
<u>East River Road</u>	<u>Pocket Park</u>	<u>11</u>	<u>25</u>
<u>Bellevue Avenue</u>	<u>Bird Sanctuary</u>	<u>18</u>	<u>15</u>
<u>Bellevue Avenue</u>	<u>Pocket Park</u>	<u>18</u>	<u>18</u>
<u>First Street</u>	<u>Byrne Park</u>	<u>27</u>	<u>5</u>
<u>East River Road</u>	<u>Pond Park</u>	<u>39</u>	<u>13</u>
<u>Rumson Road</u>	<u>Mercer Field</u>	<u>122</u>	<u>1</u>
<u>Rumson</u>	<u>Gunning Island</u>	<u>150</u>	<u>1&amp;2</u>
<u>Rumson</u>	<u>Starvation Island</u>	<u>155</u>	<u>1</u>
<u>Rumson</u>	<u>Sedge Island</u>	<u>156</u>	<u>1</u>
<u>Rumson</u>	<u>Sedge Island</u>	<u>157</u>	<u>1</u>
<u>Rumson</u>	<u>Sedge Island</u>	<u>158</u>	<u>1</u>
<u>Rumson</u>	<u>Wilson Island</u>	<u>162</u>	<u>1</u>
<u>Rumson</u>	<u>Island-Ward Avenue</u>	<u>151</u>	<u>1</u>

and all persons in, upon or making use of the municipal docks in the Borough shall be bound by and comply with the following rules and regulations.

**10-1.2 Regulations Stated. through 10-1.9 Criminal History Record Background Checks for Recreation Program Employees and Volunteers.**

No Change.

**10-2 RESERVED. through 10-4 WATER SCOOTERS AND JET SKIS.**

No Change.

**SECTION 9**

That Chapter XIII, Streets and Sanitation, shall be amended to as follows:

**CHAPTER XIII  
STREETS AND SANITATION**

## **13-1 REGULATIONS CONCERNING STREETS.**

### **13-1.1 Obtaining Grades or Lines from Borough Engineer.**

No Change.

### **13-1.2 Obstructing Streets and Sidewalks; Placement of Garbage for Collection.**

a. It shall be unlawful to place or cause to be placed any material whatsoever upon any public street within the Borough whereby the safe, free and unobstructed use of the same by the public may in anyway be impeded. It shall further be unlawful to place or cause to be placed in any public street in the Borough any garbage or other waste material for collection unless the following regulations pertaining to garbage, trash, leaves, grass and brush are strictly complied with; and further provided that the same shall not be placed in any public collection by the Sanitation Department of the Borough or its contractor at that location and that said cans or receptacles shall not be placed at the street before 6 p.m. of the day prior to collection and shall be removed completely from such public street or private property within twelve (12) hours after such garbage and trash collection is made.

b. through e. No Change.

### **13-1.2A Holiday Garbage Schedule. through 13-1.4 Permit to Encumber Street.**

No Change.

## **13-2 STREET EXCAVATION AND OCCUPANCY.\***

### **13-2.1 Definitions and Word Usage. through 13-2.8 Waiver of Fees and Performance Guarantees.**

No Change.

### **13-2.9 Permittee's Responsibilities.**

In addition to conforming with any other applicable Federal, State, county or municipal regulations, permittee shall assume the responsibility described in this section and shall take all actions necessary to properly execute these responsibilities:

a. through e. No Change.

f. Maintain temporary walkways in all sidewalk areas at least ~~three (3)~~ four (4) feet wide and adequately protected unless otherwise permitted by the Borough.

g. through k. No Change.

### **13-2.10 Restrictions. through 13-2.13 Tunnels.**

No Change.

### **13-2.14 General Restoration Requirements.**

a. All restoration of pavement, drainage facilities, curbs, sidewalks, driveway aprons, accessible curb ramps, and any other street improvement shall, to the extent specifications and details are provided therein, conform to the New Jersey Department of Transportation Standard Specifications and Standard Details for Road and Bridge Construction and to the specific requirements of this section. All Pedestrian Access Routes, within Borough of Rumson Right-of-Way, shall be constructed in accordance with the United States Access Board-Proposed Accessibility Guidelines for Pedestrian Facilities in the Public Right-of-Way, dated July 26, 2011.

b. through c. No Change.

### **13-2.15 Excavation and Backfilling Requirements. through 13-2.24 Persons Exempt.**

No Change.

**13-3     SIGNS. through 13-5 FEES FOR OFF-STREET GARBAGE AND RECYCLING COLLECTION.**

No Change.

**13-6     MANDATORY RECYCLING PROGRAM.**

**13-6.1     Purpose. through 13-6.6 Direct Disposal of Recyclable Material by Resident.**

No Change.

**13-6.7     Garbage, Solid Waste, Leaves and Brush Pickup Schedules.**

Garbage and solid waste will be picked up from all residential property twice a week on a schedule to be fixed by the Superintendent of Public Works, as set forth on the DPW page of the Borough Website.

Effective July 1, 2011, garbage and solid waste for large business establishments will no longer be picked up from any containers (standard cans or dumpsters).

Effective July 1, 2011, garbage and solid waste for small business establishments will be picked up twice a week but the quantity will be limited to three (3) standard size garbage cans, as set forth on the DPW page of the Borough Website.

No garbage or solid waste will be picked up unless access shall be afforded at all times and the same shall be placed into the covered standard size garbage cans [maximum 45-gallon cans and maximum weight per can of forty (40) pounds each], as set forth on the DPW page of the Borough Website.

Anything herein to the contrary notwithstanding, no persons, partnership or corporation who is owner, lessee or occupant of any residential, or nonresidential property may place any solid waste of garbage in the Borough recyclables or in the Borough recyclable drop area or any other Borough street or property.

Leaves will be picked up from October 15 through December 31 only, as specified on the DPW page of the Borough Website.

Brush will be picked up from January 1 through ~~November 4~~ October 15 only, as specified on the DPW page of the Borough Website.

**13-6.8     Enforcement. through 13-6.11 Reserved.\***

No Change.

**13-7     CLEAN COMMUNITIES PROGRAM.**

**13-7.1     Littering Prohibited. through 13-7.7 Uncovered Vehicles.**

**13-7.8     Construction Sites.**

a. It shall be unlawful for any owner, agent, or contractor in charge of a construction or demolition site to permit the accumulation of litter before, during, or after completion of any construction or demolition project. It shall be the duty of the owner, agent or contractor in charge of a construction site to furnish containers adequate to accommodate flyable or non-flyable debris or trash at areas convenient to construction areas, and to maintain and empty the receptacles in such a manner and with such a frequency as to prevent spillage of refuse. Public Right-of-Way/roadway in front of construction site, adjacent to site, or leading up to site shall be swept regularly to keep Right-of-Way, roadway and storm drains clean of all debris, sand, soil and gravel.

b. Any violation of subsection 13-7.8 shall be fined for each violation as follows:

<i>Offense</i>	<i>Fee</i>
1st	\$ 250

2nd \$ 500

3 or more violations \$1,000 plus mandatory court appearance for each

Fines are ~~base~~ based on the calendar year and shall be assigned to the building permit holder/contractor. Violations against contractors shall be cumulative, even if they occur on separate sites throughout the Borough.

**13-7.9 Open or Overflowing Waste Disposal Bins. through 13-7.11 Violations and Penalties.**

No Change.

**SECTION 10**

That Chapter XVI, Environmental Protection, shall be amended to as follows:

**CHAPTER XVI  
ENVIRONMENTAL PROTECTION**

**16-1 TREE PROTECTION.**

No Change.

**16-2 STORMWATER MANAGEMENT AND CONTROL.**

**16-2.1 Title.**

This section shall be known as and may be cited as the "Stormwater Management Ordinance of the Borough of Rumson."

**16-2.2 Scope and Purpose.**

- a. *Policy Statement.* Through b. *Purpose.* No Change.
- c. *Applicability.* This section shall be applicable to all development which:
  1. Requires a development permit as defined in Chapter XXII of the Code of the Borough of Rumson; and
  2. Meets or exceeds the following Stormwater Management Thresholds:

**STORMWATER MANAGEMENT THRESHOLDS**

A. *Residential Development* No Change.

B. *Nonresidential Development*

1. The development is a major development as defined by ~~N.J.A.C. 7:8-1.2 et seq.~~ Section 16-2.3 of this Ordinance; and/or
  2. Lot coverage exceeds or will exceed eighty-five (85%) percent of the maximum permitted; and
    - a. Lot coverage added as a result of the development exceeds the greater of four thousand (4,000) square feet or sixty (60%) percent of the maximum lot coverage permitted; or
    - b. Lot disturbance exceeds ten thousand (10,000) square feet.
- d. *Compatibility with Other Permit and Ordinance Requirements.* No Change.

**16-2.3 Definitions and Word Usage.**

For the purpose of this section, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

Unless specifically defined below, words or phrases used in this section shall be interpreted so as to give them the meaning they have in common usage and to give this section its most



reasonable application. The definitions below are the same as or based on the corresponding definitions in the Stormwater Management Rules at N.J.A.C. 7:8-1.2.

*CAFRA Centers, Cores or Nodes* through Infiltration. No Change.

*Major development* shall mean any development that provides for ultimately disturbing one (1) or more acres of land or increasing impervious surface by ~~one-quarter (1/4) acre~~ 10,000 square feet or more. Disturbance for the purpose of this rule is the placement of impervious surface or exposure and/or movement of soil or bedrock or clearing, cutting, or removing of vegetation.

*Municipality* through *Wetlands*. No Change.

#### **16-2.4 General Standards. through 16-2.10 Requirements for a Site Development Stormwater Plan.**

No Change.

#### **16-2.11 Stormwater Management Requirements for Other Than Major Development.**

a. through b. No Change.

c. *General Requirements.*

1. If the development requires major site plan or major subdivision approval, the applicant must demonstrate that:

(a) Neither the peak rate of runoff nor the total volume of runoff after development will be more than one hundred fifteen (115%) percent of the predevelopment rate and volume; and

(b) That a TSS reduction of fifty (50%) percent is obtained for residential development and a TSS reduction of seventy (70%) percent is obtained for nonresidential or mixed-use development.

2. If the development does not require major site plan or major subdivision approval, the applicant must demonstrate that:

(a) All runoff from at least ninety (90%) percent of the roof area of all principal and accessory building is recharged; and

(b) Parking areas, drives, access aisles or other areas used by motor vehicles are provided with a pervious paving system meeting the standards of the New Jersey Stormwater Best Management Practices Manual as follows:

(1) At least ninety (90%) percent of the total area must be provided with the effective equivalent of a paving system described as "permeable pavers without storage."

(2) If paving systems described as "porous paving" or "permeable pavers with storage bed" are provided, they will be considered twice as effective as "permeable pavers without storage" and must be provided for at least forty-five (45%) percent of the total area.

(3) In sites which combine more than one (1) system, twice the area of "porous paving" and/or "permeable pavers with storage bed" plus the area of "permeable pavers without storage" must be at least ninety (90%) percent of the total area.

(c) As an alternative to paragraphs (a) and (b) above, the applicant may demonstrate compliance with subsection 16-2.11c,1.

(d) The recharge systems identified within paragraph (a) above shall be designed, at a minimum, to store the Water Quality Storm (as defined in Ordinance Section 16-2.5.g.1) without accounting for exfiltration during the storm event. This requirement does not replace a more restrictive or conservative design criteria based on existing conditions, proposed development, unique, unusual, and/or extraordinary circumstances.

3. No Change.

d. *Waiver from General Requirements.* No Change.

#### **16-2.12 Maintenance and Repair.**

a. *Applicability.* No Change.

b. *General Maintenance.*

1. through 9. No Change.

10. Borough staff, or their designees, shall have the right to enter private property for the purpose of inspecting stormwater management facilities. In the event that the stormwater management facility becomes a danger to public safety or public health, or if it is in need of maintenance or repair, the municipality shall so notify the responsible person in writing. Upon receipt of that notice, the responsible person shall have fourteen (14) days to effect maintenance and repair of the facility in a manner that is approved by the Municipal Engineer or his designee. The municipality, in its discretion, may extend the time allowed for effecting maintenance and repair for good cause. If the responsible person fails or refuses to perform such maintenance and repair, the Borough may immediately proceed to do so and shall bill the cost thereof to the responsible person.

c. Nothing in this subsection shall preclude the municipality in which the major development is located from requiring the posting of a performance or maintenance guarantee in accordance with N.J.S.A. 40:55D-53.

**16-2.13 Violations and Penalties.**

No Change.

**16-3 YARD WASTE COLLECTION PROGRAM. through 16-11 PRIVATE STORM DRAIN INLET RETROFITTING.**

No Change.

**SECTION 11**

That Chapter XVII, Flood Damage Prevention, shall be amended to as follows:

**CHAPTER XVII  
FLOOD DAMAGE PREVENTION**

**17-1 STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND OBJECTIVES. through 17-3 GENERAL PROVISIONS.**

No Change.

**17-4 ADMINISTRATION.**

**17-4.1 Establishment of Development Permit.**

No Change.

**17-4.2 Designation of the Local Administrator.**

The Construction Official and/or Borough Engineer is hereby annually appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

**17-4.3 Duties and Responsibilities of the Local Administrator.**

No Change.

**17-5 VARIANCE PROCEDURE.**

No Change.

**17-6 PROVISIONS FOR FLOOD HAZARD REDUCTION.**

**17-6.1 General Standards.**

In all areas of special flood hazards the following standards are required:

- a. *Anchoring.* No Change.
- b. *Construction Material and Methods.*
  1. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
  2. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
  3. All new construction and substantial improvements built on fill material shall be constructed on properly designed and compacted fill material meeting the criteria of Section 1803.5.8 and Section 18.04.4 of the International Building Code or Section 2.4 of ASCE 24. All fill material shall be protected from erosion and scour with properly designed permanent stabilization.
- c. *Utilities.* No Change.

**17-6.2 Specific Standards. through 17-6.3 Coastal High Hazard Area.**

No Change.

**17-7 PENALTY CLAUSE. through 17-8 EFFECT.**

No Change.

**SECTION 12**

If any section, subsection, clause, or phrase of this ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the remaining portions of this ordinance. All ordinances or parts of ordinances inconsistent with this ordinance are hereby repealed to the extent of such inconsistency.

**SECTION 13**

This ordinance shall take effect upon final passage and publication according to law.

Introduced: November 15, 2016

Passed and Approved:

I hereby approve of the  
passing of this ordinance.

\_\_\_\_\_  
John E. Ekdahl  
Mayor

Attest:

\_\_\_\_\_  
Thomas S. Rogers  
Municipal Clerk/Administrator